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EXAMINER

SMITH, SHEILA B

ART UNIT	PAPER NUMBER
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2617

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10/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/709,182	Applicant(s) SNYDER, THOMAS DAVID	
	Examiner SHEILA B. SMITH	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,17 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-16 and 19-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 4-6, 8, 9, 11-16, 19- 21, 23, 24, 26-30,32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (U. S. Patent Publication Number 2005/0054333) in view of Beith et al. (U. S. Patent Number 7,050,551).

Regarding claim 1, Johnson discloses, a method of storing a phone number within a mobile phone, said phone number received service, the method comprising: placing a call to an information service to obtain a requested phone number, detecting the requested phone number from the information service, and storing the requested phone number returned from the information service within the mobile phone (which reads on paragraphs 0006-0009), wherein the requested phone number is returned audibly from the information service to the mobile phone (which reads on "After the telephone number is retrieved from the directory, the directory assistance service (the server 116) can prompt as to whether the user wants to be connected, for a fee, to the destination party" as disclosed in paragraph 0020). However, Johnson fails to disclose

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the detecting the requested number returned from the information service comprising using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number.

In the same field of endeavor, Beith et al. discloses system and method for capture and storage of forward and reverse link audio. In addition Beith et al. discloses the detecting the requested number returned from the information service (which reads on “the system may be configured to filter out everything except for numbers so that telephone numbers may be gleaned from a directory assistance service” as disclosed in column 5 lines 48-58, and column 2 lines 32-35)) comprising using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number (which reads on “Conventional speech to text engines may be employed to carry out this function. The text that is generated is then parsed in order to obtain the desired type of text” as disclosed in column 5 lines 48-58).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for the capability to receive the requested phone number, returned audibly from the information service to the mobile phone, using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number for the purpose of alleviating the need for the user to remember the information long enough to enter that information into the contact database on the communication device.

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Regarding claim 4, Johnson discloses storing the requested phone number returned from the information service within the mobile phone comprises (which reads on “If the user chooses to download the telephone number to his wireless device 102, step 206, the server 116 sends the telephone number as a data message to the wireless device 102., After the directory information is received, step 208, an application in the wireless device 102 creates an entry in its telephone book, step 210, and stores the directory information in the entry, step 212. The steps of creating the entry and storing the information can be done in the background, as the result of the user accepting to download the telephone number” as exhibited in figure 2, and as disclosed in paragraphs 0020-0021), having the mobile phone prompt the user whether to store the returned phone number (which reads on paragraphs 0020. 0021)).

Regarding claim 5, Johnson discloses storing the requested phone number returned from the information service within the mobile phone further comprises having the mobile phone prompt the user where to store the returned phone number (which reads on “If the user chooses to download the telephone number to his wireless device 102, step 206, the server 116 sends the telephone number as a data message to the wireless device 102., After the directory information is received, step 208, an application in the wireless device 102 creates an entry in its telephone book, step 210, and stores the directory information in the entry, step 212. The steps of creating the entry and storing the information can be done in the background, as the result of the user accepting to download the telephone number, When the server 116 downloads the information to the wireless device 102, the information is in a predetermined format, so the receiving end can readily identify the type of information and handle it properly. If the information relates to a

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telephone directory entry, it may have only two data fields, name and telephone number, or many fields such as the fields illustrated in FIG. 5. FIG. 5 is an example of a telephone directory 502 for a wireless device on paragraphs 0020, 0021, and 0027).

Regarding claim 6, Johnson discloses returned phone number is stored within the mobile phone's phonebook directory (which reads on paragraphs 0006-0009).

Regarding claim 8, Johnson discloses prompting the user whether to automatically dial the returned phone number (which reads on paragraphs 0020).

Regarding claim 9, Johnson discloses storing the requested phone number returned from the information service within the mobile phone comprises having the mobile phone automatically store the returned phone number within the mobile phones phonebook directory (which reads on paragraphs 0006-0009).

Regarding claim 11, Johnson discloses a method of storing a phone number within a mobile, said phone service, the method comprising: placing a call to an information requested phone number (which reads on paragraphs 0006-0009), requesting that the requested phone number be sent in an SMS text message to the mobile phone; and receiving an SMS text message containing the requested phone (which reads on paragraphs 0020) phone number and storing the phone number contained in the SMS text message (which reads on paragraph 0021). However Johnson fails to specifically disclose detecting that a number of the called information service is stored in a predetermined table of information service numbers activating a process for detecting

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and storing a received phone number responsive to the detecting the number of the called information service being stored in the predetermined table of information service numbers.

The examiner contends that this limitation would have been obvious to one of ordinary skill in the art, since Johnson discloses the use of “the user chooses to download the direction the server sends the instruction to the wireless device the instruction it creates an entry in a appropriate directory and stores the direction in this entry. If the user has trouble recalling the direction, the user can look up the entry corresponding to his friend in the direction directory and the direction is displayed on his wireless device” (as disclosed in paragraph 0031, and 0032) for the purpose of locating and using the information received when it is needed.

Regarding claim 12, Johnson discloses having the mobile phone prompt the mobile phone user whether to automatically dial the phone number contained in the SMS text message (which reads on “In addition to prompting whether the user wants to be automatically connected to the destination party, the data message can be sent via short message service” as disclosed in paragraphs 0020). However, Johnson fails to specifically disclose opening the SMS text message.

The examiner take official notice that opening the SMS text message would have been obvious to one skill in the art for the purpose to obtain the information contained in the message.

Regarding claim 13, Johnson discloses having the mobile phone prompt the mobile phone user whether to store the phone number contained in the SMS text message (which reads on paragraphs 0020) before the storing the phone number contained in the SMS text message (which reads on “the user chooses to download the information the server sends the information

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as a data message to the wireless device” paragraph 0024). However, Johnson fails to specifically disclose opening the SMS text message.

The examiner take official notice that opening the SMS text message would have been obvious to one skill in the art for the purpose to obtain the information contained in the message.

Regarding claim 14, Johnson discloses having the user where to store the mobile phone prompt phone number contained in the SMS text message (which reads on paragraphs 0024).

Regarding claim 15, Johnson discloses the phone number the SMS text message can be stored within phone's phonebook directory (which reads on paragraphs 0020- 0021).

Regarding claim 16, Johnson discloses a computer program number within a mobile phone, said received from an information service, the computer product for storing a phone number reprogram product comprising: computer program code (which reads on paragraph 0034) for placing a call to an information service to obtain a requested phone number, computer program code for detecting the requested phone number returned from and the information service, computer program code number returned from the mobile phone (which reads on paragraphs 0006-0009). However, Johnson fails to disclose wherein the requested phone number is returned audibly from the information service to the mobile phone, the detecting the requested number returned from the information service comprising using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number.

In the same field of endeavor, Beith et al. discloses system and method for capture and storage of forward and reverse link audio. In addition Beith et al. discloses the detecting the

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requested number returned from the information service (which reads on “the system may be configured to filter out everything except for numbers so that telephone numbers may be gleaned from a directory assistance service” as disclosed in column 5 lines 48-58, and column 2 lines 32-35)) comprising using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number (which reads on “Conventional speech to text engines may be employed to carry out this function. The text that is generated is then parsed in order to obtain the desired type of text” as disclosed in column 5 lines 48-58).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for the capability to receive the requested phone number, returned audibly from the information service to the mobile phone, using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number for the purpose of alleviating the need for the user to remember the information long enough to enter that information into the contact database on the communication device.

Regarding claim 19, Johnson discloses the computer program code (which reads on 0034) for storing the requested phone number returned from the information service within the mobile phone comprises (which reads on “If the user chooses to download the telephone number to his wireless device 102, step 206, the server 116 sends the telephone number as a data message to the wireless device 102., After the directory information is received, step 208, an application in the wireless device 102 creates an entry in its telephone book, step 210, and stores the directory information in the entry, step 212. The steps of creating the entry and storing the information

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can be done in the background, as the result of the user accepting to download the telephone number” as exhibited in figure 2, and as disclosed in paragraphs 0020-0021), having the mobile phone prompt the user whether to store the returned phone number (which reads on paragraphs 0020).

Regarding claim 20, Johnson discloses the computer program code for storing the requested phone number returned from the information service within the mobile phone further comprises computer program code for having user where to store the mobile phone prompt the returned phone number (which reads on “If the user chooses to download the telephone number to his wireless device 102, step 206, the server 116 sends the telephone number as a data message to the wireless device 102., After the directory information is received, step 208, an application in the wireless device 102 creates an entry in its telephone book, step 210, and stores the directory information in the entry, step 212. The steps of creating the entry and storing the information can be done in the background, as the result of the user accepting to download the telephone number, When the server 116 downloads the information to the wireless device 102, the information is in a predetermined format, so the receiving end can readily identify the type of information and handle it properly. If the information relates to a telephone directory entry, it may have only two data fields, name and telephone number, or many fields such as the fields illustrated in FIG. 5. FIG. 5 is an example of a telephone directory 502 for a wireless device on paragraphs 0020, 0021, and 0027.

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Regarding claim 21, Johnson discloses wherein the returned phone number is stored within the mobile phone's phonebook directory (which reads on paragraphs 0006-0009).

Regarding claim 23, Johnson discloses computer program code for prompting the user whether to automatically dial the returned phone number (which reads on paragraphs 0020).

Regarding claim 24, Johnson discloses computer program code for storing the requested phone number within the mobile phone code for having comprises computer program the mobile phone automatically store the returned from the information service returned phone number within the mobile phone's phonebook directory (which reads on paragraphs 0006-0009).

Regarding claim 26, Johnson discloses a computer program product for storing a phone number (which reads on 0034) within a mobile, said phone service, the method comprising: placing a call to an information requested phone number (which reads on paragraphs 0006-0009), requesting that the requested phone number be sent in an SMS text message to the mobile phone; and receiving an SMS text message containing the requested phone (which reads on paragraphs 0020) phone number and storing the phone number contained in the SMS text message (which reads on paragraph 0021). However Johnson fails to specifically discloses detecting that a number of the called information service is stored in a predetermined table of information service numbers activating a process for detecting and storing a received phone number responsive to the detecting the number of the called information service being stored in the predetermined table of information service numbers.

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The examiner contends that this limitation would have been obvious to one of ordinary skill in the art, since Johnson discloses the use of “the user chooses to download the direction the server sends the instruction to the wireless device the instruction it creates an entry in an appropriate directory and stores the direction in this entry. If the user has trouble recalling the direction, the user can look up the entry corresponding to his friend in the direction directory and the direction is displayed on his wireless device” (as disclosed in paragraph 0031, and 0032) for the purpose of locating and using the information received when it is needed.

Regarding claim 27, Johnson discloses computer program Code for Opening SMS; and Computer program Code (which reads on 0034) for having the SMS text message the mobile phone prompt the mobile phone user whether to automatically dial the phone number contained in the SMS text message (which reads on “In addition to prompting whether the user wants to be automatically connected to the destination party, the data message can be sent via short message service” as disclosed in paragraphs 0020). However, Johnson fails to specifically disclose opening the SMS text message.

The examiner take official notice that opening the SMS text message would have been obvious to one skill in the art for the purpose to obtain the information contained in the message.

Regarding claim 28, Johnson discloses Computer program Code for opening the SMS text message, computer program code (which reads on 0034) for having the mobile phone prompt the mobile phone user whether to store the phone number contained in the SMS text message (which reads on paragraphs 0006-0009 and 0020) before the storing the phone number contained in the SMS text message (which reads on “the user chooses to download the

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information the server sends the information as a data message to the wireless device” paragraph 0024). However, Johnson fails to specifically disclose opening the SMS text message.

The examiner take official notice that opening the SMS text message would have been obvious to one skill in the art for the purpose to obtain the information contained in the message.

Regarding claim 29, Johnson discloses computer program code (which reads on 0034) for having the mobile phone prompt the user where to store the phone number contained in the SMS text message (which reads on paragraphs 0024).

Regarding claim 30, Johnson discloses the phone number contained in the SMS text stored within the mobile message is phone's phonebook directory (which reads on paragraphs 0020-0021).

Regarding claim 32, Johnson discloses a method of storing a phone number within a mobile phone, within a mobile, said phone service, the method comprising: placing a call to an information requested phone number (which reads on paragraphs 0006-0009), requesting that the requested phone number be sent in an SMS text message to the mobile phone; and receiving an SMS text message containing the requested phone (which reads on paragraphs 0020) phone number and storing the phone number contained in the SMS text message (which reads on paragraph 0021). However Johnson fails to specifically discloses detecting that a number of the called information service is stored in a predetermined table of information service numbers activating a process for detecting and storing a received phone number responsive to the

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detecting the number of the called information service being stored in the predetermined table of information service numbers.

The examiner contends that this limitation would have been obvious to one of ordinary skill in the art, since Johnson discloses the use of “the user chooses to download the direction the server sends the instruction to the wireless device the instruction it creates an entry in an appropriate directory and stores the direction in this entry. If the user has trouble recalling the direction, the user can look up the entry corresponding to his friend in the direction directory and the direction is displayed on his wireless device” (as disclosed in paragraph 0031, and 0032) for the purpose of locating and using the information received when it is needed.

Regarding claim 33, Johnson discloses detecting the re-quested phone number that the information service connected the mobile phone to comprises obtaining the information via a network query and response (which reads on paragraphs 0006-0009).

Regarding claim 34, Johnson discloses storing the re-number returned from the information service within the mobile phone comprises having the mobile phone prompt the user whether to store the re-turned phone number (which reads on paragraphs 0020).

Regarding claim 35, Johnson discloses essentially all the claimed invention as set forth in the instant application, further Johnson discloses number returned from storing the information (which reads on paragraphs 0006-0009).

Regarding claim 36, Johnson discloses the returned phone the mobile phone's phonebook directory (which reads on paragraphs 0006-0009).

2. Claims 7, 10, 22,25,31,37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Beith et al. and further in view of MoIne (U. S. Patent Number 5,689,547).

Regarding claim 7, The combination of Johnson in view of Beith et al. discloses returned phone number is stored on the mobile phone (which reads on paragraphs 0006-0009). However Johnson in view of Beith et al. fails to disclose a returned phone number is stored on a SIM card attachable to the mobile phone.

In the same field of endeavor, MoIne discloses cellular radiotelephones including means for generating a search request data signal and receiving a telephone number from a network directory database and related methods. In addition MoIne discloses a returned phone number is stored on a SIM card attachable (which reads on “The operator then locates the number, confirms it and inquires as to whether the number is to be transmitted verbally, transferred over SMS into a given memory location of the subscriber's SIM card or both” as disclosed in column 1 lines 53-56).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for a SIM card attachable for the purpose of updating a mobile phone.

Regarding claim 10, The combination of Johnson in view of Beith et al. discloses storing the requested phone number returned from the information service within the mobile phone comprises having the mobile phone automatically store the returned phone number. However Johnson in view of Beith et al. fails to disclose a SIM card attachable.

In the same field of endeavor, MoIne discloses cellular radiotelephones including means for generating a search request data signal and receiving a telephone number from a network directory database and related methods. In addition MoIne discloses a SIM card attachable (which reads on column 1 line 59-65).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for a SIM card attachable for the purpose of updating a mobile phone.

Regarding claim 22, The combination of Johnson in view of Beith et al. discloses returned phone number is stored on the mobile phone (which reads on paragraphs 0006-0009). However Johnson in view of Beith et al. fails to disclose a SIM card attachable.

In the same field of endeavor, MoIne discloses cellular radiotelephones including means for generating a search request data signal and receiving a telephone number from a network directory database and related methods. In addition MoIne discloses a SIM card attachable (which reads on column 1 lines 59-65).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for a SIM card attachable for the purpose of updating a mobile phone.

Regarding claim 25, The combination of Johnson in view of Beith et al. discloses storing the requested phone number returned from the information service within the mobile phone comprises having the mobile phone automatically store the returned phone number. However Johnson in view of Beith et al. fails to disclose a SIM card attachable.

In the same field of endeavor, MoIne discloses a cellular radiotelephones including means

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for generating a search request data signal and receiving a telephone number from a network directory database and related methods. In addition MoIne discloses a returned phone number is stored on a SIM card attachable (which reads on “The operator then locates the number, confirms it and inquires as to whether the number is to be transmitted verbally, transferred over SMS into a given memory location of the subscriber's SIM card or both” as disclosed in column 1 lines 53-56).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for a SIM card attachable for the purpose of updating a mobile phone.

Regarding claims 31, 37, The combination of Johnson in view of Beith et al. discloses returned phone number is stored on the mobile phone (which reads on column 3 lines 1-67). However Johnson in view of Beith et al. fails to disclose a SIM card attachable.

In the same field of endeavor, MoIne discloses a cellular radiotelephones including means for generating a search request data signal and receiving a telephone number from a network directory database and related methods. In addition MoIne discloses a SIM card attachable (which reads on column 1 lines 59-65).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Johnson by specifically providing for a SIM card attachable for the purpose of updating a mobile phone.

Response to Arguments

3. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEILA B. SMITH whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Smith /Sheila B. Smith/
Examiner, Art Unit 2617
September 8, 2008

/Dwayne D. Bost/
Supervisory Patent Examiner,
Art Unit 2617